REMARKS

The specification has been amended to correct matters of form by adding page numbers and correcting typographical errors. It is respectfully submitted that no new matter has been introduced.

Reconsideration of this application is respectfully requested in light of the foregoing amendments and the following remarks.

Claims 1-6 have been amended for reasons unrelated to patentability, including at least one of: to detect infringement more easily, to enlarge the scope of infringement, to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.), to expedite the issuance of claims of particular current licensing interest, to target one or more claims to a party currently interested in licensing certain embodiments, to enlarge the royalty base of one or more claims, to cover a particular product or person in the marketplace, to explicitly present one or more elements implicit in the claim as originally written when viewed in light of the specification, and/or to target one or more claims to a particular industry.

I. The Objection to the Specification

In the Office Action, the Specification was objected to because it did not contain numbered paragraphs or numbered pages and because of typographical errors. As required by 37 C.F.R. 1.125(b), the attached substitute specification is provided in clean, unmarked form, and in marked form, and addresses these objections.

II. The Indefiniteness Rejection

Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

According to MPEP § 2173.02 "[t]he examiner's focus during examination of claims for compliance with the requirement for definiteness of 35 U.S.C. 112, second paragraph is whether the claim meets the threshold requirements of clarity and precision, not whether more suitable language or modes of expression are available ... [s]ome latitude in the manner of expression and the aptness of terms should be permitted even though the claim language is not as precise as

the examiner might desire..." Based upon this standard, it is respectfully submitted that claims 1-6 as amended provide sufficient clarity and precision.

III. The 35 U.S.C. §112, ¶ 6 Rejection

Claim 6 was rejected under 35 U.S.C. §112, ¶ 6. This rejection is respectfully traversed. The specification, and particularly the fourth page of the specification, recites ample corresponding structure for the recited function of claim 6. For example, page 4 of the specification recites "an Internet interface 204", "a human/machine interface (HMI) such as that provided by Siemens", and "a software interface to industrial-type processors such as PLCs." Further, the Zavis references cite "[o]ther communications pathways ... and other devices may be accomplished through communications interface 522' coupled to local communications pathway 524' and optionally through network communications pathway 525'..." See column 12 lines 2-9. One of ordinary skill in the art would recognize possible embodiments of an internet interface, as noted on page 18 of the current Office Action. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

IV. The Anticipation Rejection

Claims 1-6 were rejected as anticipated under 35 U.S.C. §102(b). In support of the rejection, Cragun et al. (U.S. Patent No. 5,804,803) was cited. This rejection is respectfully traversed.

Cragun fails to establish a prima facie case of anticipation. See MPEP 2131. To anticipate expressly, the "invention must have been known to the art in the detail of the claim; that is, all of the elements and limitations of the claim must be shown in a single prior art reference, arranged as in the claim". *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001). The single reference must describe the claimed subject matter "with sufficient clarity and detail to establish that the subject matter existed in the prior art and that its existence was recognized by persons of ordinary skill in the field of the invention". *Crown Operations Int'l, LTD v. Solutia Inc.*, 289 F.3d 1367, 1375, 62 USPQ2d 1917, 1921 (Fed. Cir. 2002). Moreover, the prior art reference must be sufficient to enable one

with ordinary skill in the art to practice the claimed invention. *In re Borst*, 345 F.2d 851, 855, 145 USPQ 554, 557 (C.C.P.A. 1965), *cert. denied*, 382 U.S. 973 (1966); *Amgen, Inc. v. Hoechst Marion Roussel, Inc.*, 314 F.3d 1313, 1354 (Fed. Cir. Jan. 6, 2003) ("A claimed invention cannot be anticipated by a prior art reference if the allegedly anticipatory disclosures cited as prior art are not enabled.")

Claim 1 cites "an indicator associated with a predetermined product, said indicator contained in a memory; and said predetermined product, said predetermined product coupleable to a programmable logic controller, said programmable logic controller couplable to a network, said indicator indicative of a network web page where product information is provided for the predetermined product, the network web page comprising an on-line product support help window."

Cragun allegedly cites a "client computer [that] scans the object of interest and translates the code into a URL that specifies both the server computer and the location within the server of information that is relevant to the object". See col. 2, lines 12-16.

Cragun does not disclose explicitly or inherently "an indicator associated with a predetermined product, said indicator contained in a memory". In addition, Cragun does not disclose explicitly or inherently "said predetermined product coupleable to a programmable logic controller". Further, Cragun does not disclose explicitly or inherently an "indicator indicative of a network web page where product information is provided for the predetermined product, the network web page comprising an on-line product support help window."

Accordingly, it is respectfully submitted that the rejection of claims 1-6 is unsupported by Cragun and should be withdrawn.

V. The Obviousness Rejection

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Cragun et al. (U.S. Patent No. 5,804,803) in view of Ohanian et al. (U.S. Patent No. 6,109,526). These rejections are respectfully traversed.

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Hudetz et al. (U.S. Patent No. 5,978,773) in view of Ohanian et al. (U.S. Patent No. 6,109,526). These rejections are respectfully traversed.

None of the cited references, either alone or in any combination, establish a *prima facie* case of obviousness. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." See MPEP § 2143.

Because no *prima facie* rejection of any independent claim has been presented, no *prima facie* rejection of any dependent claim can be properly asserted.

A. Cragun in view of Ohanian

Ohanian allegedly cites "the present invention embodies a data input apparatus that obtains information relative to a target. The apparatus includes a processor, a wireless data receiver, and an associated data capture engine. The wireless data receiver is coupled to the processor and receives electromagnetic data from at least one resonator, such as a dipole, positioned relative to the target. The data capture engine is also coupled to the processor and receives data from an associated data carrier, such as a machine-readable symbol..." *See* column 2 lines 10-19.

Neither Cragun nor Ohanian expressly or inherently teach or suggest "...said predetermined product coupleable to a programmable logic controller, said programmable logic controller couplable to a network, said indicator indicative of a network web page where product information is provided for the predetermined product, the network web page comprising an on-line product support help window." Thus, even if combinable or modifiable, the cited references do not expressly or inherently teach or suggest **every** limitation of the claims.

Accordingly, it is respectfully submitted that Cragun in view of Ohanian does not render obvious independent claim 1.

B. Ohanian in view of Hudetz

Hudetz allegedly cites "[a] system and method for using identification codes found on ordinary articles of commerce to access remote computers on a network. In accordance with one embodiment of the invention, a computer is provided having a database that relates Uniform Product Code ('UPC') numbers to Internet network addresses (or 'URLs'). To access an Internet resource relating to a particular product, a user enters the product's UPC symbol manually, by swiping a bar code reader over the UPC symbol, or via other suitable input means. The database retrieves the URL corresponding to the UPC code. This location information is then used to access the desired resource." See Abstract.

Neither Ohanian nor Hudetz expressly or inherently teach or suggest "an indicator associated with a predetermined product, said indicator contained in a memory...said predetermined product coupleable to a programmable logic controller, said programmable logic controller couplable to a network."

Thus, even if combinable or modifiable, the cited references do not expressly or inherently teach or suggest **every** limitation of the claims.

Accordingly, it is respectfully submitted that Ohanian in view of Hudetz does not render obvious independent claim 1.

Furthermore, because independent claim 1 is not rendered obvious by either cited combination, it stands that claims 2-6, each ultimately depending from these allowable claims, are also not rendered obvious by either Cragun in view of Ohanian or Ohanian in view of Hudetz.

C. Lexicography

Definitions provided in paragraph 19 of the Office Action are respectfully traversed. As recognized in the previous Office Action, "[T]here is a heavy presumption in favor of the ordinary meaning of claim language as understood by one of ordinary skill in the art." *CCS Fitness Inc. v. Brunswick Corp.*, 288 F. 3d 1359, 1366 (Fed. Cir. 2002). The Office Actions provide no documentary evidence linking the specific proffered definitions to "the ordinary

meaning of claim language as understood by one of ordinary skill in the art", and Applicant respectfully requests provision of such documentary evidence, in the form of, for example, a sworn affidavit. See MPEP 2144.03. Moreover, the terms for which the definitions were proffered do not necessarily accurately reflect the actual claim language (e.g., "programmable logic controller").
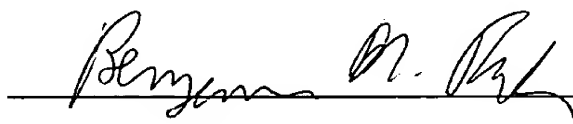
CONCLUSION

It is respectfully submitted that, in view of the foregoing amendments and remarks, the application as amended is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 19-2179. The Examiner is invited to contact the undersigned at 732-321-3113 to discuss any matter regarding this application.

Respectfully submitted,

Benjamin M. Rubin

Date: 9/23/03

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TITLE OF THE INVENTION

Method, System and Apparatus For Providing Product Information Over The Internet.

BACKGROUND

Field of the Invention

[1]   The present invention relates to providing product information and-, more particularly, providing product information over the ~~internet.~~Internet.

Related Information

[2]   It is essential to provide to the customer product information to install, operate and maintain the product. This is particularly important for industrial products that require experts to install and maintain them. Moreover, customer satisfaction greatly depends on the integrity of product information and it is the wise supplier who enlists product information as a vehicle to foster business relations.

[3]   It has always been a problem, however, to reliably communicate product information. The traditional method of supplying instruction manuals supplemented by updates has long been outmoded. Manuals and updates are cumbersome and laborious to read. They are also a notoriously slow means of communicating to the customer. Moreover, manuals are not user-friendly and hardly could be considered a vehicle for establishing business relations. From a cost perspective, manuals are expensive to both print and store.

[4]   More recently, the innovation of the telephone help desk seemed more promising. At least with the telephone, customers are updated more readily on product information. However, it was soon apparent that the telephone help desk frustrated customer relations with long waiting times, inconsistent technical help among different operators and the "take a number" feel of such help lines. The telephone help desk, if anything, proved to be more expensive due to the technical level required of the operators and the 24-hour nature of the service.

[5]   Underscoring the problems of the previous methods, there has been no satisfactory manner to provide product information for the life of the product. Further, the product information should be easily accessible in one convenient location. In addition, the product information needs to be easily updated. As an additional requirement, the product

information should be product specific. Heretofore, there has been no means by which product information is communicated without the afore-mentioned problems.

OBJECTS AND SUMMARY OF THE INVENTION

[6]   It is an object of the invention to provide product information.

[7]   It is another object of the invention to provide product information for the life of the product.

[8]   It is yet another object of the invention to provide product information easily and in one convenient location.

[9]   It is still another object of the invention to provide product information that is easily updated.

[10]   It is quite another object of the invention to provide product information that is product specific.

[11]   In accordance with the foregoing objectives, the present invention provides an indicator that directs the customer to a ~~web-page~~web page for the product information. In one aspect, the indicator is disposed on a label affixed to the product. It is considered that the indicator is an URL to the web page. In at least one aspect, the label is affixed in a prominent location on the product. In a further aspect, the product information is product specific.

[12]   In another aspect of the invention, the indicator is stored in a memory provided with the product. In one aspect, the indicator is programmed into a programmable memory. In at least one aspect, it is provided that the product includes a processor for accessing the indicator in memory and automatically establishing the interface between the customer and the web page.

[13]   In yet another aspect of the invention, there is provided a place where the product information is stored that is easily accessed. In another aspect, the place where the product information is stored is easily updateable. In yet another aspect, the place where the product information is stored is a web page.

BRIEF DESCRIPTION OF THE DRAWINGS

[14]   Fig. 1 shows the label of the present invention;

[15]   Fig. 2 shows the memory of the present invention;

[16]   Figs. 3a and 3b are flow diagrams of the operation of the present invention; and

[17]   Fig. 4 shows the web page of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

[18]   Figure 1 shows the label 100 of the present invention. The indicator 102 is disposed on the label. Other product information 104 may be affixed on the label. The label 100 is affixed to the product 106 in a prominent position 108 where the customer is intended to notice the label. In one aspect of the invention, the indicator 102 is an URL for a web site.

[19]   The label 100, in one aspect, is affixed to the product in a prominent position such that the customer readily notices the label 100. The label 100 may be made of any material including an adhesive paper, metal tag, etc.

[20]   Indicator may be of any type including, for example, a bar code that is scanned in with, for example, a light wand (not shown). In one aspect, the bar code is translated into a web page address. The light wand may be part of a technician's utility pack (not shown) that is used to analyze the product.

[21]   The other information included may be that information which is typically found on a product label. This may include, for example, the product name, serial number, company, patent number, copyright, etc.

[22]   The operation shall now be described with reference to figure 3a wherein the customer retrieves the web site information (step S300a). The customer accesses the web site (step S302a). Information is regularly updated (step S304a). The customer chooses from options on the web site related to the product (step S306a). The customer retrieves the information (step S308a) for reading, storage or printing, for example. If the customer is unable to obtain answers, the customer may employ e-mail or request telephone assistance with contact information provided on the web page (step S310a). Such requests are answered (step S312a).

[24][23]   Figure 2 shows the memory 200 of the present invention. In this aspect, the label is stored in the memory. There is also shown a processor 202 for accessing the memory 200 and an ~~internet~~Internet interface 204 for automatically interfacing to the ~~internet~~Internet using the label retrieved from the memory 200. A display 206 is provided for displaying the web page accessed using the label.

[24] While the figure shows that the memory includes supporting devices such as a processor 202 and interface, the memory may be a stand-alone memory. For example, the memory may be micro-chip implanted in the product. The micro-chip may be accessible through a well-known type of port (not shown) such as a serial port. In one aspect, the micro-chip "piggy-back" on the port line where such is provided with the product.

[25] In one aspect, the label stored in memory indicates the web page of the product information. This may be an URL. The memory may be a programmable memory or other equivalent storage means. This may include volatile, such as RAM or cache memory, or non-volatile memory, such as hard disk, CD-ROM, DVD or floppy, for example.

[26] In an aspect of the invention, the interface is provided by a human/machine interface (HMI) such as that provided by Siemens. The HMI provides a software interface to industrial-type processors such as PLCs. In a variation of the HMI, an ~~internet~~Internet interface is provided that automatically interfaces to the ~~internet~~Internet using the label stored in memory 200.

[27] A controller of particular relevance is described by Zavis et al. (U.S. Patent No. 5,596,263 and U.S. Patent No. 5,666,256) incorporated herein by reference.

[28] In operation, and with reference to figure 3b, the processor 202 accesses the memory 200 (step S300b) to retrieve the label (step S302b). The processor 202 passes the label to the ~~internet~~Internet interface 204 (step S304b) and the ~~internet~~Internet interface automatically accesses the web page (step S306b).

[29] Figure 4 shows the web page 400 of the present invention. There is shown an URL 402, product information 404, hypertext 406, other product information 408, a help window 410, a user's notes window 412, a password block 414 and alerts 416.

[30] The web page of the present invention is described as an ~~internet~~Internet page. In addition, the page may be implemented in any on-line forum such as intranet or bulletin board system. The web page may be implemented in one of any of the well-known programming languages including HTML, JAVA or XML, for example, and one skilled in the art of computer programming will readily understand from the foregoing description how to implement the code necessary to form such a page.

[31] In one aspect, the web page shown is specific to the product. In one arrangement, the URL of the web page is changed for each product such that the customer accesses the web page with specific information on that customer's product. For example, the product

information may be specific due to maintenance history and schedules and is kept updated on the web page.

[32]   The product information 404 in an aspect of the invention includes, for example, product specifications 404a, installation documentation 404b, maintenance schedules 404c, maintenance log 404d, certification programs 404 e, etc. It is also an aspect to include a list of contact telephone numbers that allow the customer to contact live technicians.

[33]   Hypertext 406 is provided to allow the customer to instantly access related web pages. These may include links 406a to related sites on, for example, standards effecting the product, certification programs, regulatory agencies that promulgate rules according to laws that effect the product's use, etc. In one aspect, the hypertext is set to the precise web page relevant to the product. Thus, for example, a Profibus product, a well-known bus cable system, may have hypertext to the Profibus Standard web site, the web page for certifying technicians on Profibus and any regulatory industries effecting use of the bus.

[34]   In addition, the hypertext may be specific to each different product such that, for example, a particular customer's product is hyperlinked to web pages relating to that specific product. For example, a specific product may be having a unique problem and, in response, the hypertext is configured to send the customer to a special site that corrects such problems. In one aspect, the customer sets the hypertext using well-known web-page tools such as XML. In another aspect, the web page manager sets the hypertext based on specific experiences with the customer and the specific product. In this manner, each product may have its own custom-tailored web page.

[35]   The hypertext may also include a link to an e-mail function 406b. The e-mail link is set up to send e-mail directly to the technician responsible for handling the specific product. In one aspect, the e-mail is directed to a personal relations agent responsible for ensuring the customer's satisfaction. In another aspect, the personal relations agent may be copied automatically in order to provide quality assurance of the services rendered.

[36]   The other product information 408 may include, for example, installation information 408a, application information 408b, performance data 408c, testing information 408d or certification information 408e. The other product information may include a customer satisfaction ~~questionare.~~ questionnaire. Of course, additional information may be provided that relates to the product. This may include disclaimers, waivers or other legal information pertaining to the product.

[37]   In an aspect of the invention, a help window 410 is provided. In the help window, the customer, using well-known on-line "chat" technology, obtains instant access to a live technician. In one arrangement, the help window 410 includes a bar 410a that lists the technician's name and contact information (telephone number, e-mail, etc.) for easy reference. In one arrangement, the web page automatically updates the maintenance log with the dialog with the technician. In another arrangement, other ~~communiques~~communiqués with the customer, such as telephone, are updated by the technician in the maintenance log. In this manner, the maintenance log is guaranteed to be a true reflection of the maintenance history of the specific product.

[38]   In another aspect, the web page may be custom tailored for each customer. The web page may include~~any~~ any or all of the above components on one page such that the customer easily finds all information and resources on one easy-to-locate place. In one arrangement, one or more elements shown in figure 4 are provided in their own window on the web page such that the customer can scroll through the information according to each element on the same page. In one arrangement, the customer may edit and update the windows. For example, the customer may update the maintenance log to reflect maintenance on the product. In an aspect, the windows are expandable such that the customer can quickly select and expand any information needed. In yet another aspect, the windows may be dragged to different areas on the screen and the position saved. Also, the windows may be deleted. The ordinary web page designer will know how to implement these features. It will be appreciated that the ease of accessibility of this multiple window web page will greatly enhance customer satisfaction.

[39]   In still another aspect, the web page includes a customer's notes window 412. This window allows the customer to enter and edit notes on, for example, the product, maintenance or reminders, etc. The notes window 412 is automatically saved in order to preserve, in one convenient place, the customer's notes on the specific product.

[40]   The web page may include a password block 414 that requires the customer to enter a password to access and/or edit the web page. In one aspect, the password may be the serial number of the product. It will be appreciated that using the serial number of the product is very convenient for the customer as it allows the customer to be free from memorizing passwords for each product. At the same time, the serial number approach appears to be random enough to thwart most unauthorized accesses. In another aspect, further security is

established by requiring the customer to enter a username. In one arrangement, an hierarchy of rights is created to, for example, read and, separately, to edit or write to the web page. In another aspect, the web page server generates a user log.

[41]   The web page includes alerts 416. The alerts, in one aspect, alert the customer to important information such as, for example, updates.

[42]   The web page of the present invention may be configured in any language or protocol to suit a number of devices. These may include Hot Link TM to interface with hand held devices, Cell Phone interfaces or utility belt interfaces.

[43]   The advantages, particularly to the customer, are significant. The present invention provides product information for the life of the product. There is provided product information easily and in one convenient location. The product information is easily updated. In addition, the product information may product specific.

[44]   In addition to the advantages to the customer, the web page provides one convenient location for the supplier to update and maintain information on the specific product. In one aspect, the supplier edits and updates the web page information on the server. Since the web page is accessed by all ~~eusomters,~~customers, the supplier has tremendous control over the product information dispersed to the public. It will immediately be appreciated that this is of paramount significance because, for the first time, the supplier is able to prevent outdated information from circulating in the public domain. In addition, the supplier is able to update the information instantly. In one aspect, the web page alerts the customer to the updates, thereby ensuring that all customers are immediately apprised of the update. It will be appreciated that the present invention is an invaluable business tool by which the supplier more directly observes and controls the relationship with the customer.

ABSTRACT OF THE DISCLOSURE

[45]   Product information is provided. An indicator that directs the customer to a web-pageweb page for the product information. The indicator may be disposed on a label affixed to the product. The indicator may be an URL to the web page. The label may be affixed in a prominent location on the product. The product information may be product specific. In another aspect, the indicator is stored in a memory. The indicator may be programmed into a programmable memory. The product may include a processor for accessing the indicator in memory and automatically establishing the interface between the customer and the web page. In yet another aspect, there is provided a place where the product information is stored that is easily accessed. The place where the product information is stored is easily updatable such as a web page.